
Minutes of the Board of County Commissioners Regular Meeting held on
March 04, 2021 at 9:00 AM in the Conejos County Board Room, 6683
County Rd 13, Conejos, CO. 81129

Call the meeting to order

Chrmn. Jarvies called the meeting to order at 9:00 AM.

Roll Call Mitchell Jarvies- Chrmn.- Present
Carlos Garcia-Vice Chair-Present
Joseph Baroz-Vice Chair-Present
Tressesa Martinez-County Admn.-Present

Also present were: Nick Sarmiento-County Attorney, Connie Ricci-HR Director, and AnnaBelle R Gomez, Deputy Clerk & Recorder.

Pledge of Allegiance: Chrmn. Jarvies led everyone in the Pledge of Allegiance.

Prayer: Comm. Baroz gave the opening prayer.

Approval of Agenda

Motion to approve the agenda as amended: Comm. Garcia/Second: Comm. Baroz, all in favor.

3-0 motion carried.

Approval of Minutes

Motion to approve the minutes of the February 18th Regular Meeting as presented: Comm. Baroz/Second: Comm. Garcia, all in favor.

3-0 Motion carried

Motion to approve the minutes of the February 26, 2021 Special Meeting as presented: Comm. Garcia/Second: Comm. Baroz, all in favor.

3-0 Motion carried

Public Comment: Larry Brown was present: He stated that he was here to listen. He is on the Coop Extension Committee. He was once an agent here. He stated that the program has really faded; he would like to

figure out how to revive it. He would like to learn what is going on in the county.

Chrmn. Jarvies thanked Mr. Brown for being here. He stated that he appreciates him being here and having some concern. He enjoyed being in the meeting with him.

County Administrator-Tressesa

Tressesa did not have anything to present to the board.

Comm. Garcia stated that he would like copies of the financials concerning the ambulance.

Tressesa said she will go ahead and send them to the board.

There was a short discussion on the year to date; she can get that as soon as Gary closes the books. The board will look at the first quarter.

Connie-HR stated that Ernest sent her an e-mail concerning the schedule; also mentioned that they have not advertised for those positions yet.

Chrmn. Jarvies asked Connie to let them know if the schedule will be changing significantly.

Nick Sarmiento- County Attorney

Nick presented the following Ordinance: ORDINANCE FOR THE REGULATION OF THE TRAFFIC BY THE BOARD OF COUNTY COMMISSIONERS OF CONEJOS COUNTY, COLORADO, ADOPTING BY REFERENCE THE 2020 EDITION OF THE "MODEL TRAFFICE CODE;" REPEALING ALL ORDINANCES IN CONFLICT THEREWITH; AND PROVIDING PENALTIES FOR VIOLATION THEREOF. ORDINANCE NO. 2021-01

Motion to approve Ordinance No. 2021-01 as presented: Comm: Baroz/Second: Comm. Garcia, all in favor.

3-0 Motion carried.

Nick presented the following resolution: A RESOLUTION BY THE BOARD OF COUNTY COMMISSIONERS OF CONEJOS COUNTY RECOGNIZING THE MANY CONTRIBUTIONS OF CONEJOS COUNTY CATTLEMEN, RANCHERS, AND FARMERS AND DECLARING MARCH 20TH AS THE ANNUAL CATTLEMEN'S, RANCHERS' AND FARMERS' DAY. RESOLUTION C-03-21.

Nick stated that the reason that they are preparing this resolution is because Governor Polis declared a "Meat Out" day which also corresponds March 20, 2021. Conejos County is primarily agricultural county with sales of 27 million dollars in just hay and also sales of 19 million in cattle, calves, poultry, and hogs. Any day that is declared a "meat out" impacts our economy in Conejos County. Those values were taken from the USDA report in 2017 and nothing has really changed since. One day of no meat really affects our cattlemen, ranchers and farmers; this is in support of those entities and every family in Conejos County.

Chrmn. Jarvies stated that there is a misunderstanding in the metro area of how important agriculture is in within our state. He would be against proclaiming any day that would hurt any industry in our state.

Comm. Garcia stated that he would like to discuss if they are going to make this an annual thing, will it be March 20th and will they make it a Conejos County Cattlemen, Ranchers and Farmer's day.

Comm. Baroz totally agrees and he shared with Mr. Sarmiento naming it that as well it incorporates everyone. He will like to move forward as an annual thing.

Nick stated that this would include those who haul alfalfa to the milk industry in New Mexico.

Chrmn. Jarvies stated that he is okay to keep it as an annual tradition.

Motion to approve Resolution C-03-21 recognizing Conejos County Cattlemen, Ranchers and Farmers and declaring March 20, 2021 as an annual Cattlemen's, Ranchers and Farmers Day: Comm. Garcia/Second: Comm. Baroz, all in favor.

3-0 motion carried.

Chrmn. Jarvies stated that there were a few people that called concerning this. He told them that they were getting it in place.

Chrmn. Jarvies mentioned that some businesses such as Burned Out Barbecue have already advertised will be doing something that day and they don't want to hurt any businesses.

Nick suggested that they have a work session to discuss this so they don't compete with any businesses and restaurants.

Executive Session

Motion to go into executive session as per 24-6-402 (b) conference with an attorney to seek legal counsel on a discussion on Amendment 2 and an email that they received from the State Land Board regarding La Jara Reservoir: Comm. Garcia/Second: Comm. Baroz, all in favor.

3-0 Motion carried.

Nick stated that they will discuss the 2nd Amendment in the Constitution and what tools we have at our disposal to challenge any Federal, State, or local regulations and in terms of the State Board we are looking at the legalities of what was presented in the letter to us.

Chrmn. Jarvies stated that for the record they will include the Sheriff in our discussion because it will affect him.

The board came out of executive session at 9:57 AM conference with the attorney and no decisions were made.

Nick Sarmiento: It is the opinion of the county attorney that the discussion had an executive session constituted an attorney/client privilege therefore no record was kept.

Robert Lockwood-Veterans Grant

Robert gave his report on the following:

- Gave the board a copy of the grant he wrote which is a Veteran's Assistance Grant.
- Mentioned that he got accredited from the state, he passed his exam. He is waiting to see if they will have a virtual or have an in person national conference to get national accreditation. That gives him more access to national VA system without a veteran having to sit on a chair across from him.
- They have a new veteran's service office in Alamosa so the calls at his office have increased. He won't turn them away but he is trying to refer them to the state level. He has no contact with Costilla or Rio Grande Veteran's Officer. The state is still working remotely and there is a dis-connect; he has not received a phone call from them; emails are taking anywhere from 7-10 days. He stated that the Archives in St. Louis is still closed. If there are any veterans asking why they are taking so long that is the reason why.

- Reported that they were able to get about 30 cords of wood for 5 veterans; Crisis Resource-La Puente were able to tap to Veteran's Grant and assist veterans in providing firewood. They had claims for propane and had a shower built for a veteran.
- Mentioned that we lost our last 2 World War II Veterans.
- Steve Salazar donated a memorial plaque which will be mounted at the courthouse.
- Veteran's Boulevard- They are meeting quarterly at the conference room which he cleared with Nick Barela.
- Working on getting a VBMS which is a program that allows him to track things in real time; he will be able to move forward in a faster time.
- He did apply for a grant through La Puente. It is a rural recovery response grant. It was a \$24,000 grant which he wasn't able to get. He applied for a 45,000 grant. He is going to try to provide food, gas cards, utility assistance, rental and housing assistance and maybe an emergency for a hotel when they have to go to Denver. He also has a transportation piece. He has broken it down to several categories which he explained to the board.
- He stated that he has a copy of the monthly February report for signature.

Andrea Jones- Forest Service Update

Andrea gave an update on the following:

- Their hours of operation are ½ days Monday through Thursday.
- Secure Rural Schools Act Funding (RAC money)- Due to some different aspects of trying to have a local RAC Committee; the decision was made from now on to join up with the Rocky Mountain RAC which is a regional RAC that would decide on projects and the hope of the local RAC members was to be able to service an advisory board. They had their last local meeting last week. There a good projects that are going to be implemented in Conejos County. They got funding for a gate for spring closures on roads for 3500. They received 3000 for weed spraying and gravel pits in the county.
- Last spring Comm. Garcia organized a field trip with them and the residents at Horca and NRCS to look at the big erosion problem at Rd 250. She had submitted a proposal from Phase 1 of trying to fix that. They would be focused the road drainage and the culverts that they have all worked on; they have been approved for Phase 1 of 20,740. She is hoping to get with the road crew to see the best way to accomplish that work.

- The Red Bear Visitor Center on 250 and Hwy 17 got funded for another 10,800. Last year they were really critical when we were shut down they were still able to open and be selling maps and give information to the public. They also brought in a lot of volunteers to the county.
- SLV Goats- That is a crew that does trail work. They got funded \$30,965 to do trail work.
- She is still trying to get a funding that was approved for the Ruybalid Bridge agreement so they can get that project implemented.
- The forest applied for Great American Outdoors funding. They did get approved for 3 projects. They are planning to replace the Stunner Bridge. They had gotten some funding to clean out the Alamosa Guard Station. They got a good chunk to finish that cabin fixed up to be a recreation rental. They got funding to re-do the Mogote Campground.
- The Rio Grande National Forest is in partnership with the San Juan National Forest, the Carson and the Santa Fe, NM for a cooperative forest landscape restoration project. Those are nationwide focused projects to do whatever treatments on the ground that have to be done for watershed or vegetation and fire focused as well. They put a proposal with the Carson and Santa Fe and they are number two on the national list. It will be spread between 4 forests. The area that they are considering is the Trail Gulch Project; it will go from Big Horn and Rito Honda area over to Spruce Hole towards the NM line. They will look at fuel treatments where they can.
- Recreation- They continue to pull hundreds of thousands of dollars for trail work. Jeremiah and his crew keep putting in for all those grants.
- They will have their cabin rentals open this summer.
- Will be working with the Conejos Youth Crew. They will stay there and get the picnic tables fixed so eventually they will get them opened up again.
- They have been working with some virtual career fairs in Antonito and virtual mentoring with Antonito High School students and also with the local vaccine clinics.
- On the front range they did send out a drought letter to permittees a couple of months ago.
- They are starting to swing their gates closed for spring closures to protect the roads.

- There is a proposal that the state might want to convey some land to the Forest Service around the La Jara State Wildlife area. That is just in the initial stages.
- They have a different budget process that came up on them this year which is changing the way they do business with the funding they have available. Right now the forest is doing a forest plan to try and make sure that they have all the right resources to get the work done that they need. That might come back to the Board for input if it causes any sort of drastic changes.

Comm. Garcia asked about the weed spraying; he wanted to know if that is for Forest Service Roads or is that coming into the valley on county roads.

Andrea stated that is only to spray the gravel pits that they use to gravel the roads.

Comm. Garcia asked for an update on Peggy Bell; wanted to know if she got her RAC money spent.

Andrea stated that she has gotten multiple phones calls it is on one top item of her list.

Comm. Garcia asked about the Trail Gulch. He wanted to know if they have to do the NIPPA studies.

Andrea stated that there is a new NEPA Modernization Act that requires them if they have an environmental assessment completed within one year; she will be scoping that project in May.

Andrea talked about the LWCF, they would have to apply for that funding.

Andrea stated that concerning the youth crew she can put them through to Jeremiah Martinez for more information.

Chrmn. Jarvies asked about designated motorcycle trails since the side by sides are such a big industry right now.

Andrea stated that they are all designated motorcycle trails except Conejos Peak and the Archuleta Trail. They intend to do travel management at some time. Part of the challenge is to have the resources to manage the uses. She mentioned that Colorado is having so much influx of recreation.

Connie-HR Director thanked Andrea and their team for their help with the 400 person vaccine clinic.

Sheriff Crowther- Report

Sheriff Crowther presented his report as follows:

- Calls for service are not on their packet- Number of calls for February were 423.
- 2020- They filed 39 major felony cases, 111 major misdemeanors, and 1137, 38 Search and Rescue (some being quite complex) and responded to 5,627 calls for service; 15 a day. They had 248 cases in January and February. They have to help the police departments because they are not on 24-7.
- Had one deputy leave.
- Talked about grants on the Sheriff's side. They finished up on the Black and Gray Grant. First time they applied they got 21,417. They received another grant for 18,134 for a total of \$39,551. They bought a lot of equipment that they would not have been able to obtain with their county budget. The only thing they have to make sure it is used in investigating illegal marijuana grows.
- They got around 6000 worth of shot guns and about 1000 worth of ammunition donated to them. They got a jail transport van from Boulder County Sheriff's Office donated to them; the van has around 100,000 worth of equipment. They have a good working relationship with CBI so they have donated two CBI agents to assist them; they have been a tremendous help.
- They received rifle vests and helmets from Colorado State Patrol.
- They got a litter and wheel donated from Alpine Search and Rescue.
- They are busy on grants- Blake sent one off in the amount of \$48,000. Their pack set radios are getting outdated. He is also working on another one for body cams concerning SB217 in the amount of \$100,000. Garth stated that they brought a grant to Tressesa; that amount is 50,000 for equipment. They filed the Forest Service Grant that they get every year.
- Sheriff Crowther talked about the ambulance service and how the ambulance people save them at the Sheriff's Dept. Ernest is great to work with and the rest of the people from the Ambulance Service as well.
- Sheriff Crowther stated that they have made the Sheriff's Magazine again.
- Talked about Spot Life with the schools. Sanford and North Conejos are on it, he can demonstrate with South Conejos if it is needed. He explained how that works; mentioned that it only costs about \$1.50 a month.

- Sheriff Crowther talked about the Fallen Officer, it will be put on a memorial. They will get a plaque and put it at the Sheriff's Office. The family from California will be in Denver for that; they are very happy that they are honoring that person. Sheriff Crowther explained how all that came together.

John Garcia- Gravel Issue

Mr. Garcia was not present at the meeting. Tressesa-County Admn. stated that Mr. Garcia wanted gravel. She explained to him that they do not do that anymore; they went out and took pictures.

Nick Sarmiento- County Attorney

Nick stated that he would like to discuss the second amendment. The commissioners either want a policy statement and also to look into some tools to protect the second amendment in the County of Conejos. He would like some direction and authorization from the Board to pursue a policy. He will write a policy in a form of a resolution.

Chrmn. Jarvies stated that when the red flag bill was coming into effect they did a resolution declaring ourselves an amendment 2 sanctuary county which basically says we support gun rights. It was brought it up to Mr. Sarmiento to see if there was anything they could do as a county. They want to protect the law abiding citizens of our county that own guns and use them for hunting and recreation. He would like to pursue it somewhat.

Comm. Baroz stated that he agrees. If Mr. Sarmiento could explore that a little bit without superseding the federal law.

Comm. Garcia stated that if they can give Nick some direction. We are talking about our law abiding citizens here in Conejos County. Comm. Jarvies stated it very well; he echo's everything he said. We have gone on record as a sanctuary county with the idea that we support the 2nd Amendment and the right to bear arms the most legal way that it can be done.

Nick mentioned that he will be drafting position statements.

State Land Board

Chrmn. Jarvies said that on a brief history they all received an email and he received a phone call. They let him know that that they have entered into negotiations with Western Rivers Conservation about the state land/La Jara Reservoir that Andrea Jones was referring to. We have all had a chance to look at it. They will have Nick let them know that we want to have a seat at the table. We would not want to see a

change of use within reason. We want to protect the grazing, the hunting, fishing and public access. We want to make it clear to them that we appreciate them letting us know. We should send them an e-mail back to let them know that we would like to discuss and have presentation. He feels they should have the permittees involved as well and different people that use it to make sure that they are represented.

Comm. Baroz stated that he echo's what Chrmn. Jarvies stated.

Comm. Garcia stated that he also echo's what Chrmn. Jarvies said.

Nick stated that he will be attending the public meetings; commissioners can attend via zoom.

Nick mentioned that he does not have a contract for the arena; he is still working on it.

Linda Land Use- Report

Linda stated that she will be sending them a monthly statistics report on permits that they issued. They have a breakdown of the construction. Michelle has it set up so that they compare it on a month to month basis and a running total. It will show the post construction fees. It also shows the successful physical address to show how many addresses and signs they are getting out there. Linda mentioned that septic's are slow this time of the year.

Gayland Smith-Division of Land

Chrmn. Jarvies stated that Gayland Smith is related to him so he will run the hearing but will not have any say or vote.

Linda presented the following:

Case No: CCLU-2021-0008

REQUEST: Division of Land

APPLICANT: Gayland Smith & Gina B Smith

ZONING: Rural

SURVEY BY: Reynolds Engineering

BACKGROUND: An application was filed with the Land Use Office on 01/14/2021 for a Division of Land. The owners are Gayland and Gina Smith. The property is 9.41 acres legally described as Parcel A of the Bernie and Louis Martinez Division of Land located in the North Half, South Half, Southeast Quarter of the Northeast Quarter of Section 26, Twp 34 N, Range 9 East, NMPM, Conejos County Colorado. Physical address of 11585 County Rd 17.

The Division of 9.414 acres will create the following:

Tract 1 containing 8.172 acres more or less-lot will be used for agricultural uses.

Tract 2 containing 1.242 acre more or less-lot will be used for residential/rural uses. County Road Dedication-County Rd 17 was dedicated in the previous Bernice and Louis Martinez Division of Land.

Applicable Codes Used: CCLUC- Article 10-Div. 10.7 Subdivision Exemptions, Division of Land

Purpose of the Division: The property is being divided to separate the agricultural land from the home; they are going to sell the home.

Linda is working with them on two issues. They need to work with Road and Bridge to get an access permit for the easement that is located on the South end of the property. That will be a little more extensive type of permit because there is a big bar ditch with water in it. The previous owner Terry Smith had a building violation; she let them know that they cannot complete this until they resolve the building violation.

Linda stated that Terry Smith has not responded to Michelle. He was red-tagged for putting a new roof.

Nick Sarmiento what are we asking in terms of remedy.

Linda stated that he will pay a post construction permit which will be double.

Nick suggested that they table the Division of Land for now.

Linda stated that they will present it again on March 18, 2021.

The board did not take any action at this time.

Nick asked if there is any movement on the building code.

Linda stated that they have prepared some charts. They have a plan in place as to how they are going to present.

Connie HR-Director/Vacancies

Connie HR-Director stated that they have 2 vacancies at the jail, 2 in Road and Bridge, 1 at DSS, and they are always recruiting PCP's.

Connie talked about New Colorado Law which is an Equal Pay Act that was passed in Colorado. They have to make sure all ads are posted internally and externally if they choose to do so.

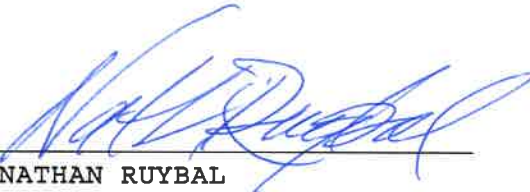
Nick mentioned that the other law is COVID time. Conejos County before last year would create their own Cares Act if you came down with COVID or suspected with COVID, we paid our employees to stay home; now it is required through the State of Colorado. There is paid sick that is required even for part time employees.

Veteran's Grant

Tressesa, County Admn. mentioned that concerning the Veteran's Grant would Robert be able to administer the grant even though it is for the whole county because of the many things such as gas cards, housing, utilities, etc. Those grants have to be reviewed to see if there is a match; it's a liability to the county if it is not done right.

The board allowed Tressesa to follow up on it.

There being no further business to come before the Board, Chrmn. Jarvies declared the meeting adjourned.

ATTEST: 
NATHAN RUYBAL
CLERK OF THE BOARD


MITCHELL JARVIES
CHRMN. BD OF COUNTY COMM.